Single Bench

S.B.

BEFORE THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Contempt Petition No. 97 /2004

PETITIONER : Bharat Das Vaishnav S/o late Vishram Das, aged 56 years, R/o Bhari-Pakhna Tehsil Katghora, Distt. Korba (C.G.)

Versus

RESPONDENTS CONTEMNORS : 1. State of Chhattisgarh
Through : The Secretary,
Department of Scheduled Castes & Scheduled Tribes Development Mantralaya, D.K.S.Building Raipur (C.G.).

2. The Director, Directorate of Scheduled Castes and Scheduled Tribes Development, Raipur (C.G.)

3. Assistant Director,
Tribal Development, Korba
Distt. Korba (C.G.)

4. Block Development Education Officer
Podi-Uproda, Tehsil Katghora
Distt. Korba (C.G.).

5. Smt. Shakuntala Nirala
W/o Shri G.R.Nirala, aged 30 years
Working as Asstt. Teacher, Supdt.
Kanya Ashram , Katori Nagoi,
Block Development, Podi-Uproda,
Distt. Korba (C.G.).

P.R. No. 1440/04
Presented by Shri S.V. Pardhi
dated 16-6-04

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16.6
Clerk to A. G. Bilaspur

....contd.....

(4)

CONTEMPT PETITION UNDER ARTICLE 215 OF THE CONSTITUTION OF INDIA, READWITH SECTION 2 (b) AND 12 OF CONTEMPT OF COURTS ACT, 1971.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..Contt.Pet..97/04 **सन् 200**

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	16-6-2006 Shri S.V. Purohit, counsel for the petitioner. Heard. The petitioner has filed this contempt petition alleging that respondents have not followed the order of this Court dated 28-11-2003 passed in the W.P. No.3287/2003 (Smt. Shakuntala Nirala V. State of Chhattisgarh). Learned counsel for the petitioner submitted that respondent No.5 was the petitioner in that petition and as per the order dated 28-11-2003 she ought to have filed representation which she has not filed, therefore, she has committed contempt. The contention of learned counsel for the petitioner is totally devoid of merit. In the first instance, the petitioner was not party to the W.P. No.3287/2003 and the order was passed in the petition filed by respondent No.5 in which counsel for respondent No.5 made a request to the Court to allow the petitioner to make a detailed representation to respondent No.2 i.e. the Director within 10 days and in turn respondent No.2 was directed to decide representation. If Smt. Shakuntala Nirala has not filed representation that is her own decision. If she does not want to file any representation in order to redress her grievance, it is her choice. By any stretch of imagination it cannot be termed as defiance of the Court's order or willful contempt committed by respondent No.5. Therefore, the petition is liable to be dismissed and same is dismissed. **Sd/-** **L.C.BHADOO** **Judge**	

Barve